1		Magistrate Judge Brian A. Tsuchida	
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5	CLERK U.S. DISTRICT COURT WESTERN DISTRICT OF WASHINGTON DEPUTY BY		
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7	UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF WASHINGTON		
8	AT SEATTLE		
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10	UNITED STATES OF AMERICA,	NO. MJ15-542	
11	Plaintiff	AMENDED MOTION FOR DETENTION	
12		THAILIADED MOTION TOR DETENTION	
13	v.		
14			
15	SCHUYLER PYATTE BARBEAU,		
16	Defendant.		
17			
18	The United States moves for pretrial detention of the Defendant, pursuant to 18		
19	U.S.C. 3142(e) and (f)		
20	1. Eligibility of Case. This case is eligible for a detention order because this		
21	case involves (check all that apply):		
22	☐ Crime of violence (18 U.S.C. 31)		
23	☐ Crime of Terrorism (18 U.S.C. 2	332b (g)(5)(B)) with a maximum sentence	
<ul><li>24</li><li>25</li></ul>	of ten years or more.		
	☐ Crime with a maximum sentence	of life imprisonment or death.	
26 27	☐ Drug offense with a maximum se	entence of ten years or more.	
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MOTION FOR DETENTION - 1 U.S. v. BARBEAU/MJ15-542

1		Felony offense and defendant has two prior convictions in the four	
2	categories above, or two State convictions that would otherwise fall within these four		
3.	categories if federal jurisdiction had existed.		
4		Felony offense involving a minor victim other than a crime of violence.	
5		Felony offense, other than a crime of violence, involving possession or use	
6	Control of the Contro		
7	of a firearm, destructive device (as those terms are defined in 18 U.S.C. 921), or any other dangerous weapon.		
8		•	
9		Felony offense other than a crime of violence that involves a failure to	
10	register as a Sex Offender (18 U.S.C. 2250).		
11		Serious risk the defendant will flee.	
12		Serious risk of obstruction of justice, including intimidation of a	
13	prospective witness or juror.		
14	2.	Reason for Detention. The Court should detain defendant because there	
15	are no conditions of release which will reasonably assure (check one or both):		
16		Defendant's appearance as required.	
17	$\boxtimes$	Safety of any other person and the community.	
18	3.	Rebuttable Presumption. The United States will invoke the rebuttable	
19	presumption against defendant under 3142(e). The presumption applies because:		
20		Probable cause to believe defendant committed offense within five years of	
21	release following conviction for a qualifying offense committed while on pretrial release.		
22		Probable cause to believe defendant committed drug offense with a	
23	maximum sentence of ten years or more.		
24		Probable cause to believe defendant committed a violation of one of the	
25	following offenses: 18 U.S.C. 924(c), 956 (conspiracy to murder or kidnap), 2332b (act		
26	of terrorism), 2332b(g)(5)(B) (crime of terrorism).		
27	1001		
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1		Probable cause to believe defendant committed an offense involving a	
2	victim under the age of 18 under 18 U.S.C. 1591, 2241, 2242, 2244(a)(1), 2245, 2251,		
3	2251A, 2252(a)(1) through 2252(a)(3), 2252A(a)(1) through 2252A(a)(4), 2260, 2421,		
4	2422, 2423 or 2425.		
5	4.	Time for Detention Hearing. The United States requests the Court	
6	conduct the detention hearing:		
7	$\boxtimes$	At the initial appearance	
8		After a continuance of day (not more than 3)	
9			
10	DATED this 14 <sup>th</sup> day of December, 2015.		
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12		Respectfully submitted,	
13		ANNETTE L. HAYES	
14		United States Attorney	
15		$\bigcirc$	
16	0	THOMAS M. WOODS	
17		THOMAS M. WOODS Assistant United States Attorney	
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